



A PHI Company

**Pamela J. Scott**  
Assistant General Counsel

92DC42  
500 N. Wakefield Drive  
Newark, DE 19702

P.O. Box 6066  
Newark, DE 19714-6066

302.429.3143 – Telephone  
302.429.3801 – Facsimile  
pjscott@pepcoholdings.com

September 21, 2015

FILED VIA DELAFILE  
AND VIA ELECTRONIC MAIL  
Delaware Public Service Commission  
Attn.: Ms. Donna Nickerson  
861 Silver Lake Boulevard  
Cannon Building, Suite 100  
Dover, DE 19904

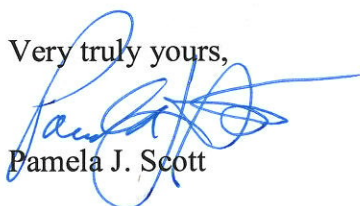
Re: Robyn Redden v. Delmarva Power & Light Company  
PSC Docket No. 15-1332

Dear Ms. Nickerson:

Enclosed please find Delmarva Power & Light Company's Answer and Motion to Dismiss the Complaint filed in the above-captioned matter.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Pamela J. Scott

Enclosure

cc: Ms. Marianne Murphy (w/enclosures)  
Ms. Maureen Coyne-Greto (w/enclosures)  
Ms. Robyn Redden

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE FORMAL	)	
COMPLAINT OF ROBYN R. REDDEN	)	PSC Complaint Docket 15-1332
AGAINST DELMARVA POWER & LIGHT	)	
COMPANY REGARDING METER	)	
ACCURACY AND ESTIMATED BILLING	)	
(FILED AUGUST 26, 2015)	)	

**ANSWER AND MOTION TO DISMISS OF DELMARVA POWER & LIGHT  
COMPANY**

Delmarva Power & Light Company (Delmarva), by and through its undersigned counsel, hereby responds to the complaint filed by Robyn R. Redden ("Petitioner"), and moves that this complaint be dismissed, as follows.

1. Admitted that Petitioner contacted Delmarva in February of 2014 regarding her bill for 214 N. Connell Street (the "Account"). Delmarva is without sufficient knowledge or information to admit or deny that the call to Delmarva in February was about a large gas and electric bill.

2. Admitted that Petitioner's bill for the Account was estimated for a period of time as it was discovered that the remote reading device for the gas meter was not working properly and Delmarva was unable to access the property to obtain an accurate meter reading.

3. Denied that Delmarva overcharged Petitioner. Delmarva is without sufficient knowledge or information to admit or deny the remaining allegations of this Paragraph that a meter reader advised Petitioner that she was being overcharged.

4. Denied that Delmarva, through its customer service representative, advised Petitioner not to pay her bill.

5. Admitted that there was a second investigative order issued for the Account such that on March 12, 2014, another actual reading of Petitioner's gas meter was performed by Delmarva. Further admitted that the reading obtained on March 12, 2014 appeared to be more in line with estimated usage for Petitioner.

6. Admitted that based upon an actual reading of the gas meter a revised bill for the Account was sent to Petitioner.

7. Admitted that the gas meter was changed.

8. Admitted that some of Petitioner's gas meter readings during the period April 2013 through March 2014 were estimated, and that an actual reading could not be obtained due to Delmarva's inability to obtain access to the meter.

9. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to "a truck in front of the house" creating interference.

10. Admitted that Ms. Murphy of Delmarva's Regulatory Executive Customer Service Relations was assigned this matter and that during the period of her review, Delmarva agreed not to take any action to disconnect Petitioner's service for failure to pay. Denied that the Account was put on hold by Charmaine Johnson as Ms. Johnson has no authority to put a hold on Delmarva's accounts.

11. Denied that Petitioner was advised not to pay her bill while the Account was being reviewed.

12. Denied that Ms. Murphy only communicated with Petitioner when asked to do so by Charmaine Johnson.

13. Admitted that Ms. Murphy offered Petitioner a 48 month payment plan to pay the sums due to Delmarva on the Account. Denied that Delmarva made any mistakes relative to the Account.

14. Denied that Petitioner was told not to pay her bill. Admitted that Ms. Murphy offered to have a meter test performed of the gas meter to be witnessed by the Delaware Public Service Commission.

15. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to Petitioner's attempts to contact Ms. Murphy.

16. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to conversations between Petitioner and Charmaine Johnson.

17. Admitted that Petitioner has moved and no longer resides at 217 N. Connell Street.

18. Admitted that the outstanding balance due from Petitioner on the Account was transferred to Petitioner's account for her current residence.

19. Denied that Ms. Murphy has failed to work with Petitioner to resolve this matter.

20. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to Petitioner's inability to obtain "help from any organization because of the amount".

21. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to Petitioner's claims of depression, frustration and stress.

22. Delmarva is without sufficient knowledge or information to admit or deny the allegations pertaining to a conversation between Petitioner and Jerry Platt

from the Delaware Public Service Commission.

**AFFIRMATIVE DEFENSES AND MOTION TO DISMISS**

23. Delmarva repeats and realleges the responses set forth in Paragraphs 1 through 22 as if fully set forth herein.

24. Delmarva's gas tariff (Section IV. C.) provides that when Delmarva is unable to read the meter, the Company may estimate the Customer's gas usage and render an estimated bill.

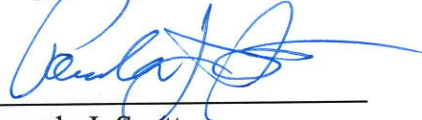
25. Delmarva's gas tariff (Section VIII. G.) provides that Delmarva may install remote reading devices at the Customer's premises and that, in the case of dispute, the Company's meter shall be the final determinant in measuring consumption and in all cases shall take precedence over any reading or remote reading devices.

26. Petitioner owes Delmarva \$5,313.95, of which \$1,530.77 is due for gas service. Petitioner has failed to pay for such services.

27. Petitioner's complaint pertains to a billing issue and should be dismissed for lack of subject matter jurisdiction as the Public Service Commission does not have jurisdiction over billing disputes. *See generally Artesian Water Company v. Cynwyd Club Apartments, Inc.*, 98 P.U.R. 3d 108 (1972); *Georgia-Pacific Corp. v. Delmarva Power & Light Company*, 1992 WL 396307; *Malawi v. PHI Service Company*, 2012 WL 986751; *Whipple v. Pepco Holdings, Inc.*, 2015 WL 4400039.

WHEREFORE, Delmarva respectfully requests that the Petitioner's complaint be dismissed, with prejudice.

Respectfully submitted,



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Pamela J. Scott  
Assistant General Counsel  
Delmarva Power  
P.O. Box 6066  
Newark, DE 19714-6066  
(302) 429-3143  
pjscott@pepcoholdings.com

Dated: September 21, 2015

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ACCURACY AND ESTIMATED BILLING	)	
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that copies of the foregoing were served upon the following on September 21, 2015 in the manner noted below:

**VIA ELECTRONIC MAIL AND  
FILED VIA DELAFILE**

Donna Nickerson  
Secretary  
Delaware Public Service Commission  
861 Silver Lake Boulevard, Suite 100  
Dover, DE 19904  
Email: [donna.nickerson@state.de.us](mailto:donna.nickerson@state.de.us)

**VIA ELECTRONIC MAIL AND  
FILED VIA DELAFILE**

Julie "Jo" Donoghue  
Deputy Attorney General  
Delaware Public Service Commission  
861 Silver Lake Blvd., Suite 100  
Dover, DE 19904  
Email: [Julie.donoghue@state.de.us](mailto:Julie.donoghue@state.de.us)

**VIA FIRST CLASS MAIL AND  
VIA ELECTRONIC MAIL**

Ms. Robyn Redden  
2501 Jessup Street  
Wilmington, DE 19802  
[rreden1@yahoo.com](mailto:rreden1@yahoo.com)

**VIA ELECTRONIC MAIL AND  
FILED VIA DELAFILE**

David Bonar  
Public Advocate  
Division of the Public Advocate  
820 N. French Street, 4<sup>th</sup> Floor  
Wilmington, DE 19801  
Email: [david.bonar@state.de.us](mailto:david.bonar@state.de.us)



Pamela J. Scott  
P.O. Box 6066  
Newark, DE 19714-6066  
(302) 429-3143  
[pjscott@pepcoholdings.com](mailto:pjscott@pepcoholdings.com)